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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

	:	
CATHERINE KLOTZ	:	
Plaintiff,	:	Civil Case No.:
vs.	:	
GC SERVICES, LP,	:	
Defendant.	:	
	:	

VERIFIED COMPLAINT

Plaintiff, CATHERINE KLOTZ AND JOHN KLOTZ (Plaintiffs), through her attorneys, KURTZ LAW GROUP, LLC, alleges the following against Defendant, GC SERVICES. (Defendant):

INTRODUCTION

1. Count I of Plaintiff's Complaint is based on the Fair Debt Collection Practices Act (FDCPA), 15 U.S.C. 1692, *et seq.*

PARTIES

2. Plaintiff is a natural person residing in Warren, New Jersey 07059.
3. Defendant is a national debt collection corporation with a business office located in New Jersey.
4. Plaintiff is a consumer as that term is defined by 15 U.S.C. 1692a(3), and according to Defendant, Plaintiff allegedly owes a debt as that term is defined by 15 U.S.C. 1692a(5).
5. Defendant is a debt collector as that term is defined by 15 U.S.C. 1692a(6), and sought to collect a consumer debt from Plaintiff.
6. Defendant acted through its agents, employees, officers, members, directors, heirs, successors, assigns, principals, trustees, sureties, subrogees, representatives, and insurers.

JURISDICTION AND VENUE

7. Jurisdiction of this court arises pursuant to 15 U.S.C. 1692k(d), which states that such actions may be brought and heard before “any appropriate United States district court without regard to the amount in controversy.”
8. Defendant conducts business in the State of New Jersey, and therefore, personal jurisdiction is established.
9. Venue is proper pursuant to 28 U.S.C. 1391(b)(2).

FACTUAL ALLEGATIONS

10. In or around September of 2013, Defendant placed collection calls to Plaintiff seeking and demanding payment for an alleged consumer debt.
11. Plaintiff’s alleged debt owed arises from transactions on a debt for personal, family, and household purposes.
12. Defendant called Plaintiff’s telephone numbers at (732) 356-0268 and (732) 586-5413.

13. In or around September of 2013, Defendant called Plaintiff and left a voicemail message on Plaintiff's answering machine.
14. In the voicemail message, Defendant failed to meaningfully disclose the company's name or the nature of the call or state that the call was from a debt collector.
15. In the voicemail message, Defendant directed Plaintiff to call back telephone number 800-926-3136 x3002, which is a number that belongs to Defendant. *See* Exhibit A.
16. Defendant is using false, deceptive and misleading means in connection with attempting to collect a debt by not identifying the purpose of its phone calls or that they are an attempt to collect a debt.

COUNT I

DEFENDANT VIOLATED THE FAIR DEBT COLLECTION PRACTICES ACT

17. Defendant violated the FDCPA based on the following:
 - a. Defendant violated §1692d of the FDCPA by engaging in conduct the natural consequence of which is to harass, oppress, or abuse the Plaintiffs.
 - b. Defendant violated §1692d(6) of the FDCPA by placing telephone calls without meaningful disclosure of the caller's identity because Defendant did not provide the identity of the caller or the nature of the debt.
 - c. Defendant violated §1692e of the FDCPA by using false, deceptive or misleading representation with the collection of the debt.
 - d. Defendant violated §1692e(11) of the FDCPA by failing to disclose that the call was from a debt collector.

Wherefore, Plaintiff, CATHERINE KLOTZ, respectfully requests judgment be entered against GC SERVICES for the following:

18. Statutory damages of \$1,000.00 pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. 1692k.

19. Costs and reasonable attorneys' fees pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. 1692k.

20. Any other relief that this Honorable Court deems appropriate.

CERTIFICATION PURSUANT TO LOCAL RULE 11.2

Pursuant to Local Rule 11.2, I certify that this matter in controversy is not the subject of any other action pending in any court, arbitration, or administrative proceeding.

DATED: December 31, 2013 The Law Offices of Jennifer M. Kurtz, LLC

By: /s/ Dennis R Kurz

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CATHERINE KLOTZ AND JOHN KLOTZ

VERIFICATION OF COMPLAINT AND CERTIFICATION

(STATE OF NEW JERSEY)

Plaintiffs, CATHERINE KLOTZ AND JOHN KLOTZ, says as follows:

1. We are the Plaintiffs in this civil proceeding.
2. We have read the above-entitled civil Complaint prepared by my attorneys and I believe that all of the facts contained in it are true, to the best of my knowledge, information and belief formed after reasonable inquiry.
3. We believe that this civil Complaint is well grounded in fact and warranted by existing law or by a good faith argument for the extension, modification or reversal of existing law.
4. We believe that this civil Complaint is not interposed for any improper purpose, such as to harass any Defendant(s), cause unnecessary delay to any Defendant(s), or create a needless increase in the cost of litigation to any Defendant(s), named in the Complaint.
5. We have filed this Complaint in good faith and solely for the purposes set forth in it.
6. Each and every exhibit I have provided to my attorneys which has been attached to this Complaint is a true and correct copy of the original.
7. Except for clearly indicated redactions made by my attorneys where appropriate, I have not altered, changed, modified or fabricated these exhibits, except that some of the attached exhibits may contain some of my own handwritten notations.

Pursuant to 28 U.S.C. § 1746(2), I, CATHERINE KLOTZ AND JOHN KLOTZ, hereby declare (or certify, verify or state) under penalty of perjury that the foregoing is true and correct.

Dated: _____

CATHERINE KLOTZ,
Plaintiff

Dated: _____

JOHN KLOTZ,
Plaintiff

EXHIBIT A

This message is for Catherine Klotz. My name is "Steve Maloff." I would appreciate you calling me back. You can reach me at 1-800-3136 extension 3002. Thank you.